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M E M O R A N D U M

TO: All New York Members
FROM: Dick Blatt *DB*
DATE: April 21, 1993
SUBJECT: Proposed New York State Tobacco Advertising Ban

The attached article from Advertising Age raises a serious issue for our New York members and our members with tobacco interests. It is provided for your information.

You are encouraged to call or write the Governor's office to discourage this proposal. As much as you can identify the economic impact on your company, which would be caused by not being able to help advertise tobacco, the more effective our discouragement of Governor Cuomo's proposal will be.

Please let POPAI know if you contacted the Governor's office and what response you received.

ADVERTISING AGE - APRIL 19, 1993 issue

Cuomo seeks cig ad ban

By Riccardo A. Davis

A sweeping anti-tobacco bill proposed by New York Gov. Mario Cuomo would wipe out a major outdoor ad category and leave cigarette marketers with fewer ways to promote their products in the state.

Gov. Cuomo last week submitted legislation that would ban all tobacco advertising except in newspapers and magazines.

Before becoming law, the bill—believed to be the nation's most restrictive—must be passed by the state Assembly and Senate.

That may not be easy.

"We oppose legislation that

seeks to regulate advertising of any legal product," said Joan Davidson, a spokeswoman for Gannett Outdoor Group, New York City's largest outdoor company.

"The governor's proposal raises serious constitutional issues under the First Amendment [for restricting] freedom of speech," said John Boltz, manager of media affairs for Philip Morris USA.

Anti-tobacco forces say Gov. Cuomo's proposed ad ban is warranted because tobacco ads often reach underage smokers or encourage youths to smoke.

Outdoor companies say they try to avoid targeting youths.

"We have self-imposed guidelines that establish tobacco-free zones," Ms. Davidson said, adding that Gannett doesn't place cigarette ads within 500 feet of hospitals, schools or places of worship.

But there are several prominent boards elsewhere, including city-owned Shea Stadium.

The bill comes four months after the Metropolitan Transit Authority banned all tobacco ads on its subways, buses and platforms, which has cost Gannett \$4 million in revenues since January.

Ms. Davidson wouldn't speculate what impact passage would have on Gannett and the industry. □

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